

HULL & COZZENS AND JOHN NAYLOR & CO.

[To accompany Bill H. R. No. 624.]

APRIL 13, 1860.

Mr. TAPPAN, from the Committee on Claims, made the following

REPORT.

The Committee on Claims, to whom was referred the petition of Hull & Cozzens and of John Naylor & Co., "asking pay for labor performed and materials furnished in the construction of the capitol buildings at Omaha city, in Nebraska Territory, under contracts with the governor of said Territory," have had the same under consideration and beg leave to report:

That Mark W. Izzard, then governor of Nebraska, made contracts with the petitioners for furnishing certain materials for the capitol buildings at Omaha city, which contracts are properly stated in the two accounts filed as follows:

THE UNITED STATES

	To JOHN NAYLOR & Co.,	Dr.
To galvanized iron cornice, for capitol building at Omaha city, Nebraska Territory, as per contract made with Hon. Mark W. Izzard, governor of Nebraska, dated at St. Louis, Mo., February 25, 1856.....		\$4,600
Credit.		
September 10, 1856. By cash.....	\$2,000	
October 25, 1856. By cash.....	600	
		<u>2,600</u>
		<u>2,000</u>

THE UNITED STATES

	To HULL & COZZENS,	Dr.
To cast-iron capitals, for the capitol building at Omaha city, Nebraska Territory, as per contract made with Mark W. Izzard, and dated at St. Louis, Mo., November 18, 1855		\$4,336

	Brought forward.....	\$4,336
Credit.—By cash.	September 10, 1856.....	\$2,000
	By cash. October 25, 1856.....	1,000
		<hr/> 3,000
		<hr/> 1,336
		<hr/>

The petitioners allege that the balances stated on these accounts are unpaid and still justly due them, as they performed their part of these several contracts faithfully and promptly. In reply to a call made upon the Treasury Department by the Hon. F. Ferguson, the Secretary of the Treasury transmitted the following report from the First Comptroller of the Treasury :

TREASURY DEPARTMENT,
Comptroller's Office, March 16, 1858.

SIR : I have to acknowledge the reference to this office, on the 11th instant, of the letter of Hon. F. Ferguson, delegate from Nebraska, in relation to certain unsatisfied contracts entered into, in order to the erection of the public buildings in that Territory, dated the day previous, and to state, in reply, that the accounts of Hon. M. W. Izzard, late governor, show Messrs. Naylor & Co. to have received on their contract \$2,600, and Messrs. Hull & Cozzens \$3,000, leaving the balances still due them thereon the same as stated by Mr. Ferguson, namely, \$2,000 and \$1,336, respectively.

As regards the matter in general, that is, the probable amount required to complete said buildings, the information furnished by the papers at the disposal of this office is insufficient to the formation of any definite result.

I would, however, respectfully suggest that Mr. Cuming, the present territorial secretary, from his long residence in the Territory and consequent knowledge of its affairs, both public and private, might doubtless furnish a reliable estimate on which a further appropriation could be based, should such, in your discretion, be deemed a proper subject of recommendation to Congress.

Mr. Ferguson's letter is herewith returned.

I am, respectfully, your obedient servant,

W. MEDILL,
Comptroller.

Hon. HOWELL COBB,
Secretary of the Treasury.

Copies of the contracts, on file with the papers in the case, establish the facts as alleged in the petition, and as shown by the report of the Comptroller, and it appears that the only difficulty in the way of payment was the want of an appropriation out of which to draw the money. Your committee think that if these parties faithfully executed their contract with the government they should be paid such amount as may be found due them upon a proper settlement at the Treasury Department, and for that purpose they report the accompanying bill, and recommend its passage.